

REMARKS

This application has been reviewed in light of the Office Action mailed July 11, 2007. Reconsideration of this application in view of the below remarks is respectfully requested. Claims 28, 29, 32 and 33 are pending in the application with Claims 28, 29, 32 and 33 being in independent form. By the present amendment, Claims 28, 29, 32 and 33 are amended.

Support for the amendment to Claims 28, 29, 32 and 33 can be found in the specification on page 2, Paragraph [0031]. Therefore, no new subject matter is introduced into the disclosure by way of the present amendment.

I. Rejection of Claims 28, 29 and 33 Under 35 U.S.C. § 103(a)

Claims 28, 29 and 33 are rejected under 35 U.S.C. § 103(a) as allegedly obvious over U.S. Patent No. 5,761,618 issued to Lynch et al. in view of U.S. Patent No. 6,122,503 issued to Daly. Claim 32 is rejected under 35 U.S.C. § 103(a) as allegedly obvious over Lynch et al. in view of Daly and further in view of U.S. Patent No. 6,125,280 issued to Grandhi et al.

Lynch et al. fails to teach or suggest a "...means for receiving a message that includes a first list including a plurality of network identifiers that are available for a potential handover, from the communication network while a call is in progress..." recited in Claim 29, 32 and 33 and similarly recited in Claim 28.

Not only does Lynch et al. fails to disclose this feature but rather, Lynch et al. teaches away from providing handover between mobile communication networks while a call is in progress as evidenced in col. 19, lines 39 – 51.

According to Lynch et al. "[I]t is noted that an updated SID list downloaded into a subscriber unit handset after communication has begun may result in the recognition that

communication has been established using a service provider that is now considered inappropriate on the basis of the updated preferred SID list. Consequently, it may be necessary to apply certain safeguards to prevent re-registration with a new service provider once communication has already begun. While such circumstances are considered rare, their occurrence may jeopardize high quality communication especially when hand-off is required. The programming that prevents re-registration during an ongoing telephone call is easily accomplished by one skilled in this art, and requires no further elaboration.”

Therefore, one of ordinary skill in the art would not look to Lynch et al. for teachings regarding handover between mobile communication networks while a call is in progress since Lynch et al. teaches away from providing handover while a call is in progress.

Regarding Daly, that reference fails to teach or suggest selecting one of the plurality of network identifiers for handover between an active mobile communication network and a mobile communication network corresponding to the selected one network identifier while a call is in progress.

Consequently, one of ordinary skill in the art would not combine Lynch et al. and Daly for a method of handover between mobile communication networks while a call is in progress.

With regard to the rejection to Claim 32, Applicant submits that Grandhi et al. fails to ameliorate the deficiencies of Lynch et al. and Daly discussed above. In particular, Grandhi et al. fails to disclose or suggest selecting one of the plurality of network identifiers for handover between an active mobile communication network and a mobile communication network corresponding to the selected one network identifier while a call is in progress. Evidence of the fact that Grandhi et al. does not support the recited feature “while a call is in process is disclosed in Grandhi et al. specification which states that “[C]ontrol channel processes use similar neighbor

information to determine which cell an idle mobile (one powered-up, but not active on a call) will monitor to receive incoming calls and other mobile services.” (See: Col. 1, lines 58 – 61).

Therefore, for at least the reasons provided above, Claims 28, 29, 32 and 33 are believed to be allowable over the cited prior art references. Accordingly, Applicant respectfully requests withdrawal of the rejections with respect to Claims 28, 29 and 33 under 35 U.S.C. § 103(a) over Lynch et al. in view of Daly and further in view of Grandhi et al.

CONCLUSIONS

In view of the foregoing amendments and remarks, it is respectfully submitted that all claims presently pending in the application, namely, Claims 28, 29, 32 and 33 are believed to be in condition for allowance and patentably distinguishable over the art of record.

If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to call Applicant’s undersigned attorney at the number indicated below.

Respectfully submitted,



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